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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ O.M.P. (T) (COMM.) 42/2017

P .E.C. LIMITED

..... Petitioner

Through: Mr Sanjeev Narula and Mr Sagar
Rajiv Agnihotri, Advocates.

versus

RYTHEM OVERSEAS TRADE LTD. & ORS. Respondents

Through

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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20.03.2018

IA No. 6446/2017

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

O.M.P. (T) (COMM.) 42/2017

3. The petitioner has filed the present petition under Section 14 of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act'), *inter alia*, praying as under:-

- a) substitute Indian Council of Arbitration (ICA) and refer the dispute to either Delhi International Arbitration Centre (DAC) or any other sole arbitrator appointed by this Hon'ble Court.

4. It is at once clear that the prayer made by the petitioner do not fall under the scope of Section 14 of the Act. What the petitioner essentially seeks is a substitution of the arbitration clause, as the fee payable under the Rules of Indian Council of Arbitration is stated to be extremely high.

5. The petitioner's grievance cannot be addressed in this petition; however, it will be open for the petitioner to approach the Indian Council of Arbitration for seeking reduction in the fee. All the remedies of the petitioner as available in law are also reserved.

6. The petition is disposed of.

VIBHU BAKHRU, J

MARCH 20, 2018

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